

Plaintiff,

-against-

OSHKOSH B'GOSH, INC.,

Defendant.

ROSS, United States District Judge:


04 CV 5118 (ARR)

NOT FOR
PUBLICATION

OPINION AND ORDER

X

The court has received the Report and Recommendation on the instant case dated October 14, 2005 from the Honorable Viktor V. Pohorelsky, United States Magistrate Judge. No objections have been filed. Having conducted a de novo review of the record, the court hereby adopts the Report and Recommendation, in its entirety, as the opinion of the court pursuant to 28 U.S.C. § 636(b)(1). Accordingly, this action is dismissed for lack of subject matter jurisdiction.
SO ORDERED.


Allyne R. Ross
United States District Judge

Dated: November 7, 2005
Brooklyn, New York

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cc: Magistrate Viktor V. Pohorelsky